

AO 247 (02/08) Order Regarding Motion for Sentence Reduction

RECEIVEDUSDC, WESTERN DISTRICT OF LOUISIANA
ROBERT H. SHEMWELL, CLERKDATE 3/3/08
GB**UNITED STATES DISTRICT COURT**
for the
Western District of Louisiana

United States of America

)

v.

)

Markus Paul Calais

) Case No: 6:02CR60050-002Date of Previous Judgment: 09/02/2003
(Use Date of Last Amended Judgment if Applicable)) USM No: 11649-035) **Pro Se**

) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)Previous Offense Level: 30Amended Offense Level: 26Criminal History Category: IIICriminal History Category: IIIPrevious Guideline Range: 121 to 151 monthsAmended Guideline Range: 78 to 97 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- The reduced sentence is within the amended guideline range.
 The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
 Other (explain):

As the defendant's current sentence of 72 months is below the newly applicable guideline range, no further reduction is warranted.

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 09/02/2003 shall remain in effect.

IT IS SO ORDERED.Order Date: 03/03/2008


Judge's signature

Effective Date: _____
(if different from order date)

Tucker L. Melancon, United States District Judge

Printed name and title

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USP cc
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